IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, SIXTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR. JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO : 19399 of 1994

Between:

M.Veerraju, S/o. Surya Rao, Secretary of the PACS, R/o.

Kunduru, Pamarru (Mandal), East Godavari District.

PETITIONER

AND

1 The District Cooperative Officer, Kakinada,
East Godavari.
2 The General Manager, The District Cooperative Central Bank Ltd.,,
Kakinada, East Godavari.
3 The Branch Manager, The District Cooperative Central Bank Ltd.,
Gangavaram, Pamarru Mandal, East Godavari District.
4 The Kunduru Large Sized Coop., Credit Society Ltd., Rep.

President, Kunduru, Pamarru Mandal, East Godavari.

RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly one in the nature of Writ of Mandamus or any other appropriate writ, declaring the action of the 2nd respondent in placing the petitioner under suspension through his proceedings dated 11/10/1994 as illegal, arbitrary and without jurisdiction and consequently direct the respondents to drop all further proceedings against the petitioner forthwith in this regard.

Counsel for the Petitioner: MR.N.SUBBA REDDY

Counsel for the Respondents: GP FOR COOPERATION

The Court made the following:

ORDER:

In this writ petition, the action of the 2nd respondent in placing the petitioner under suspension vide proceedings dated 11-10-1994 is challenged as illegal.

The General Manager, District Co-operative Central Bank Limited (2nd respondent), vide proceedings dated 11-10-1994, on the allegation that the petitioner was involved in misappropriation and mis-utilisation of Government seeds subsidy for Kharif, 1994 and on his absconding from duty had kept the petitioner under suspension pending enquiry. The petitioner filed W.P.M.P.No.23833 of 1994 to suspend the operation of the order of suspension dated 11-10-1994 pending disposal of the writ petition. However, no orders were passed by this Court in the said W.P.M.P.

It is submitted by both Smt. Sudha Rayudu, appearing on behalf of the Government Pleader for Co-operation and Sri D.Srinivasa Reddy appearing on behalf of Sri S.Srinivasa Reddy, learned counsel for the 2nd respondent that the writ petition has become infructuous in as much as the petitioner was subsequently reinstated into service and that he is now on medical leave as he is suffering from paralysis.

Since the order of suspension has been revoked, the writ petition filed challenging the order of suspension, has become infructuous. The writ petition is dismissed accordingly. No costs.

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Justice Ramesh Ranganathan

Date: 06th July, 2005
dvs

Copies to:

1 The District Cooperative Officer, Kakinada,
East Godavari.
2 The General Manager, The District Cooperative Central Bank Ltd.,,
Kakinada, East Godavari.
3 The Branch Manager, The District Cooperative Central Bank Ltd.,
Gangavaram, Pamarru Mandal, East Godavari District.
4 The President, The Kunduru Large Sized Coop., Credit Society

Ltd., Kunduru, Pamarru Mandal, East Godavari.

5. 2 CCs to the Govt. Pleader for Co-operation, High Court of

A.P.,Hyderabad (OUT).

6. Two CD copies.

HONOURABLE SRI JUSTICE RAMESH RANGANADHAN

W.P.No.19399 OF 1994

06th July, 2005